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April 8, 2008

Via Facsimile: 914.390.4085

Honorable Charles L. Briant
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Battaglia v. Lowe's
Civil Action No. 07 Civ. 6501 (CLB)

MEMO ENCLOSED
*This case is dismissed,
without prejudice, with leave
to re-open within ninety (90) days
to enforce the terms of the settlement
agreement. to Erickson*
April 10, 2008
Charles L. Briant
USDC

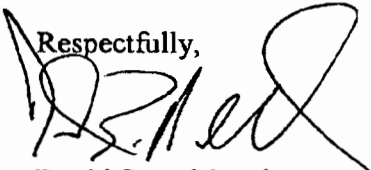
Dear Judge Briant:

We represent the Plaintiff in the above-referenced matter.

The parties wish to inform the Court that they have reached a settlement, subject to the execution of a mutually acceptable written settlement agreement. The parties will file a Stipulation of Dismissal once the settlement has been consummated.

Therefore, we respectfully request that the conference scheduled for April 11, 2008 at 9:30 a.m., be adjourned without a new date.

Respectfully,


David S. Halsband

cc. Helen Tuttle, Esq. (via facsimile: 973.360.9831)
Counsel for Defendant